

FARNAN LLP

March 20, 2025

Via E-Filing

The Honorable Gregory B. Williams
J. Caleb Boggs Federal Building
844 N. King Street, Unit 26, Room 6124
Wilmington, DE 19801

RE: *VoiceAge EVS LLC v. HMD Global Oy* (C.A. No. 19-cv-1945-GBW)

Dear Judge Williams:

Plaintiff VoiceAge EVS LLC (“VoiceAge EVS”) respectfully submits the following response to this Court’s March 18, 2025 Order (D.I. 199) requesting Plaintiff inform the Court “whether Plaintiff agrees or disagrees with the deadline for submitting dispositive Rule 12 motions identified in Defendant’s letter and the grounds for such disagreement, if any.”

HMD contends its motion is timely because Paragraph 20 of the Scheduling Order (D.I. 43) only applies to early summary judgment motions. Even accepting HMD’s argument, HMD’s motion is still untimely. If matters outside the pleadings are considered, a 12(c) “motion must be treated as one . . . under Rule 56.” Fed. R. Civ. P. 12(d). HMD’s motion relied on inventor testimony, (D.I. 182, at 11), and Plaintiff’s infringement contentions (D.I. 187 at 10). VoiceAge EVS relied on HMD’s invalidity contentions (D.I. 185 at 14). As framed, HMD’s motion is therefore one under Rules 12(c) and/or 56 and therefore may not “be filed more than ten days before [November 26, 2025] without leave of the Court.” (D.I. 43, § 20(a)).

Respectfully submitted,

/s/ Brian E. Farnan

Brian E. Farnan

cc: Counsel of Record (via E-File)